

RECEIVED
CENTRAL FAX CENTER

SEP 07 2006

Docket No.: 65856-0054

Application No. 10/780,087

REMARKS

Claims 1-37 are pending. Claims 1, 12, and 26 are independent claims. In the Office Action, claims 1-9, 11-13, 19-21, and 23-34 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by United States patent number 6,141,610 ("Rothert"). Further, claims 14-18 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over the combination of Rothert and admitted prior art. Also, claims 35-37 were rejected under Section 103 as allegedly unpatentable over the combination of Rothert and United States patent number 6,819,924 ("Ma").

Claim 1 is amended herein. At least for the reasons stated below, all pending claims are believed to be in condition for allowance. Further, it should be noted that Applicants believe numerous of their dependent claims to be separately patentable. Therefore, Applicants reserve the right to argue for the separate patentability of dependent claims not explicitly addressed herein in subsequent papers.

ArgumentI. Claim 1

Claim 1 stands rejected as allegedly anticipated by Rothert. However, Rothert does not teach or suggest all of the limitations of claim 1. Claim 1 recites:

A system for viewing measurements remotely, comprising:
a processor that is connected to a first wireless communications device, the processor and the first wireless communications device being external to an equipment;
wherein the processor is programmed to retrieve, via the first wireless communications device, at least one measurement from a second wireless communications device connected to at least one measurement device.

Contrary to the Examiner's assertion (Office Action, pages 2-3), Rothert does not teach or suggest at least "a processor that is connected to a wireless communications device" that is "programmed to retrieve at least one measurement from at least one measurement device via the wireless communications device."

Rothert teaches a system for monitoring vehicles that are checked in and out of facilities such as rental car facilities. (Rothert, column 2: 64 – column 3: 4.) Rothert's system includes two transmitters 303 and 304 that continually transmit signals and that are positioned so that the

Application No. 10/780,087

Docket No.: 65856-0054

signals are received by vehicles leaving and returning to a facility. (Rothert, column 7: 35-45.) When a vehicle receives a transmission from one of the transmitters 303 or 304, a controller in the vehicle takes an action such as clearing data from storage or “determining the data relating to the condition and usage of the vehicle.” (Rothert, column 7: 45-47; column 8: 6-50.) Sensors are used to monitor vehicle condition and usage, and data from the sensors is provided over a vehicle data bus to a diagnostic unit that in turn analyzes data from the sensors. (Rothert, column 6: 5-15.) Vehicle usage and condition data are obtained over the vehicle data bus by a controller 21 included in a data logger 20 in the vehicle. (Rothert, column 8: 36-50; Figure 2.) A communication unit 23 included in the data logger 20 is then used to transmit the data thus obtained. (Rothert, column 8: 66 - column 9: 2.)

In contrast to Rothert, claim 1 requires retrieving “at least one measurement from a second wireless communications device connected to at least one measurement device.” Rothert's communication unit 306 (Rothert, Figure 3) receives wireless communications not from a wireless communications device connected to a measurement device, but rather from a communication unit 23 (Rothert, Figure 2) included within Rothert's data logger 20. (Rothert, column 9: 1-2.) Rothert's data logger receives data from sensors via a vehicle data bus and may analyze that data (Rothert, column 8: 35-65), but the data logger is plainly not a measurement device. Rather, Rothert's data logger simply receives data from vehicle sensors, this data plainly already including measurements, and transmits that data outside a vehicle. (See Rothert, column 6: 1-15.) Accordingly, Rothert does not teach or suggest retrieving measurements from a “wireless communications device connected to at least one measurement device” because Rothert simply does not teach or suggest any wireless communications device connected to any measurement device.

For at least the foregoing reasons, claim 1 is in condition for allowance, as are claims 2-11, 30-31, and 35 depending therefrom.

II. Claim 12

Claim 12 stands rejected as allegedly anticipated by Rothert. However, Rothert does not teach or suggest all of the limitations of claim 12. Claim 12 recites:

A system comprising:

Application No. 10/780,087

Docket No.: 65856-0054

at least one sensor that provides at least one output related to a component in an equipment; and
at least one measurement device comprising a processor programmed to (1) receive as an input the output from the sensor and (2) wirelessly communicate with a remote device that is external to the equipment.

Contrary to the Examiner's assertion (Office Action, page 4), Rothert does not teach or suggest at a minimum "at least one measurement device comprising a processor programmed to (1) receive as an input the output from the sensor and (2) wirelessly communicate with a remote device that is external to the equipment."

The Examiner has asserted that Rothert's diagnostic unit 28 is "at least one measurement device comprising a processor." (Office Action, page 4.) However, Rothert's diagnostic unit 28 is clearly not a "measurement device." Indeed, Rothert clearly describes diagnostic unit 28 as analyzing measurements that it has received from sensors 14-17. (See Rothert, column 6: 1-15.) Therefore, Rothert does not anticipate claim 12 at least because Rothert's diagnostic unit 28 is not a measurement device.

Further, Rothert's diagnostic unit 28 is not "programmed to . . . wirelessly communicate with a remote device." Instead, the diagnostic unit 28 is polled by controller 21, which is a part of the above-discussed data logger 20. (Rothert, column 8: 40-42.) Also part of the data logger 20 is communication unit 23, which is the component that Rothert uses to wirelessly transmit data. (Rothert, column 9: 1-2.) In other words, even if the diagnostic unit 28 were a measurement device, which it is not, it is clear that the diagnostic unit 28 is not programmed for any wireless communications. Indeed, Rothert's diagnostic unit 28 clearly communicates only on a vehicle data bus, and it is another component in Rothert's system, communication unit 23 (also plainly not a measurement device), that wirelessly transmits data. Therefore, Rothert does not anticipate claim 12 at least for the additional reason that Rothert's diagnostic unit 28 is not "programmed to . . . wirelessly communicate with a remote device."

Claim 12 is in condition for allowance for at least the foregoing reasons, as are claims 13-25, 32-34, and 36 depending therefrom.

III. Claim 26

Claim 26 stands rejected as allegedly anticipated by Rothert. However, Rothert does not teach or suggest all of the limitations of claim 26. Claim 26 recites:

Application No. 10/780,087

Docket No.: 65856-0054

A system for viewing measurements remotely, comprising:
a first processor that is connected to a wireless communications device;
at least one sensor that provides at least one output related to a component in an equipment; and
at least one measurement device comprising a second processor programmed to (1) receive an input from the sensor and (2) wirelessly communicate with the first processor,
wherein the first processor is external to the equipment and is programmed to retrieve measurements from the measurement device via the wireless communications device.

For at least the reasons discussed above regarding claim 1, contrary to the Examiner's assertion (Office Action, page 6), Rothert does not teach or suggest at least "wherein the first processor is external to the equipment and is programmed to retrieve measurements from the measurement device via the wireless communications device." Further, for at least the reasons discussed above regarding claim 12, contrary to the Examiner's assertion (Office Action, page 6), Rothert does not teach or suggest at a minimum "at least one measurement device comprising a second processor programmed to (1) receive an input from the sensor and (2) wirelessly communicate with the first processor.

Accordingly, claim 26 is in condition for allowance for at least the foregoing reasons, as are claims 27-29 and 37, depending therefrom.

SEP 07 2006

Application No. 10/780,087

Docket No.: 65856-0054

CONCLUSION

In view of the foregoing arguments, Applicants believe that the pending application is in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. If the Examiner believes that a personal interview with Applicants' representative would advance prosecution of this application, or that it is necessary to address any informalities in the application, the Examiner is invited to telephone the undersigned.

Applicants believe that no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 65856-0054, from which the undersigned is authorized to draw.

Dated: September 7, 2006

Respectfully submitted,

By 

Charles A. Bieneman

Registration No.: 51,472

Michael B. Stewart

Registration No.: 36,018

RADER, FISHMAN & GRAUER PLLC

39533 Woodward Avenue, Suite 140

Bloomfield Hills, Michigan 48304

(248) 594-0600

Attorneys for Applicant